L.7.121-94

G. R. S. IX-5]

Previous references

1894-5.

~~197~~.

(Annual.)

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File No. 18-94.

Serial Nos. 1.

Later references

GENERAL AND REVENUE SECRETARIAT.

Serial Nos 1.

M. ~~Part~~ B for January 1895.

SUBJECT

Instructions for the preparation of Notification for Sanction re Municipal Works.

Endorsed

W D 88—GPB—50,000—24-7-18

1893

GOVERNMENT OF MYSORE.

REVENUE

PROCEEDINGS.

Dated 20th August 1893

No $\frac{3752\ 60.}{R.\ 416.}$

Issuing instructions on the subject of acquiring land for Government or Municipal purposes, in supersession of those contained in Government Order No 2594-601 —Cir. 24, dated 14th May 1892.

Mysore Govt C. Press, Bangalore—1-9 93—120.

No. 3752-60—R. 416, DATED, BANGALORE, 20TH AUGUST 1893.

ORDER —The following instructions are issued in supersession of those contained in Government Proceedings No 2594-601—Ch. 24, dated 14th May 1892.—

I. No land should be acquired by any Department, except through the Deputy Commissioner of the District in which it is situated

II. When a Municipality or any Department of Government wishes to acquire land for any public purpose, it shall send a requisition to that effect to the Deputy Commissioner intimating the situation and area of the land required and the purpose for which it is required

III The requisition may include a limit of price, if the requisitioning authority considers it necessary to fix one.

IV. On the receipt of this intimation, the Deputy Commissioner should make the necessary enquiries. If the probable price which the Deputy Commissioner considers it necessary to pay, is accepted by the requisitioning authority and if the Deputy Commissioner wishes to put the Land Acquisition Act in force, he shall report the matter for the orders of Government, with full details as regards the description, boundaries and area of the land required, and the amount it is likely to cost

V On the receipt of the orders of Government thereon, he may proceed to acquire the land.

VI If the Deputy Commissioner considers that the land required cannot be had within the limit, if any, fixed by the requisitioning authority, he should intimate the same to the Department concerned and await its further wishes in the matter

VII. As a rule, all lands required for Government purposes should be acquired under the Land Acquisition Act, and private negotiation should be resorted to only in cases in which there is not the slightest doubt about the title of the owner with whom the Deputy Commissioner purposes to deal

VIII Deputy Commissioners should, under no circumstances, take possession of the land before its price is settled or the provisions of the Land Acquisition Act are put in force

IX Deputy Commissioners should report to Government particulars of lands acquired without the previous sanction of Government and without payment.

T ANANDA ROW,
Chief Secretary.

To—The Chief Engineer in Mysore with reference to his No 3218 dated 22nd July 1893
The Deputy Commissioner of District

Section ___ Annual ___
" ___ 18-94 ___
Serial No. ___ 1 ___

L.
R 1687

No. 11494-504 & 26/1/95 Order - ~~C No 27-37 & 24/1/95.~~
L.7.121-94 7/4/95 L.7

Notifications of sanction submitted by Deputy Commissioners for works sanctioned by them are often vague and defective. Under the head "Name of Work" the work sanctioned should be specified with sufficient clearness to admit of its identification, but often, in the case of roads and drains, nothing more is stated than the words "Opening a road (or constructing a drain) in .... Municipality" without specifying the length of the road or drain and the particular locality in the town or village named where the road or drain is proposed to be made. In the column of "Items" under the head "Abstract of Estimate" merely the name of the work is repeated without specifying the different items composing the work, such as ~~those are usually~~ given in the Abstracts appended to detailed Estimates. If

~~Reasons for~~ the necessity for the work ~~in~~ not displayed ~~possessed, or they ought to be~~, in the Column of Remarks, as it should be, Deputy Commissioners of Districts are requested to see that the notifications of sanction submitted by them furnish all the particulars required.

It is observed that compensation payable for lands to be acquired is often mentioned in Notifications of sanction as one of the items of the works to which they relate or as an independent work by itself sanctioned by Govt/Commrs. ~~This is wrong~~. In instructions conveyed in Govt Proceedings No 3762-60 R486 dated 2nd May 1892 in regard to acquiring lands for public purposes should be strictly followed. ~~Separate~~ orders of Govt obtained in each case as directed in para 3 thereof. When a land has to be acquired for carrying out any of the minor works falling under the ~~Executive~~ powers of the Executive Engineers, the Estimate for which the lands required should be mentioned ~~in the~~ Abstract of Estimate ~~should~~ ~~not~~ ~~exceed Rs 5000~~ & the Courts are authorised to award, the ~~Collr~~ may issue the notification & award for such cases, the Estimate for which the lands required should be mentioned in the Abstract of Estimate should not exceed Rs 5000 & the Courts are authorised to award, the Collr may issue the notification & award for such cases,

within the Deputy Commissioners powers of sanction, the work should not be ~~undertaken~~ undertaken until the land has been duly acquired ~~and compensation~~ paid for the same need not be included in the notification of sanction submitted for the work.

In some cases Deputy Commissioners ~~submit notifications of sanction in respect of~~ sanction works costing Rs. 200 when undertaken from Municipal Funds. The orders conveyed in Govt Proceedings No $\frac{2832\text{-}40}{L.7.137\text{-}92}$ dated 22 aug 1892 in regard to the limit of sanction in the case of District Fund Works will be held to apply also to Municipal Works.

and submit notifications of sanction in respect of the

Low it seems that

24/9/95

Inspectors of Sanitation need Limit

cases as usual, but when the To Dy Commrs of Dts & Vice-Pres of Municipalities

acquisition of land is called for for general purposes & not in connection with any particular work, the previous sanction of Govt should be obtained by the Chief Secretary

The Comptroller

Re. Govt. Proceedings consulted by the Controller 24/9/95

In all cases the

No. 11494-504—L. F. 121-94, DATED, BANGALORE, 26TH JANUARY 1895.

ORDER.—Notifications of sanction submitted by Deputy Commissioners for works sanctioned by them are often vague and defective. Under the head "Name of work" the work sanctioned should be specified with sufficient clearness to admit of its identification, but often, in the case of roads and drains, nothing more is stated than the words " Opening a road (or constructing a drain) in.. ..... Municipality" without specifying the length of the road or drain and the particular locality in the town or village named where the road or drain is proposed to be made. In the column of "Items" under the head "Abstract of Estimate," merely the name of the work is repeated without specifying the different items composing the work such as those given in the abstracts appended to detailed estimates. Further, the necessity for the work is not explained in the column of Remarks, as it should be. Deputy Commissioners of Districts are requested to see that the Notifications of sanction submitted by them furnish all the particulars required.

2. It is observed that compensation payable for lands to be acquired is often mentioned in Notifications of sanction as one of the items of the works to which they relate or as an independent work by itself sanctioned by Deputy Commissioners. Where the land required to be taken up is for completing any particular work and the total cost of the work is below the sum which the Deputy Commissioners are authorized to sanction, the Notifications of sanction may issue as usual, but where the acquisition of the land is for general purposes and not in connection with any particular work, the previous sanction of Government should be obtained, and in all cases the instructions conveyed in Government Proceedings No. 3752-60—R. 416, dated 20th August 1893, in regard to acquiring lands for public purposes should be strictly followed.

3. In some cases Deputy Commissioners sanction works costing Rs. 200 when undertaken from Municipal Funds and submit Notifications of sanction in respect of them. The orders conveyed in Government Proceedings No. 2832-40 —L. F. 137-92, dated 22nd August 1892, in regard to the limit of sanction in the case of District Fund works will be held to apply also to Municipal works.

L. ANANTASAMI RAO,
for *Chief Secretary.*

To—The Deputy Commissioners of Districts and Presidents of Municipalities.
The Comptroller to the Government of Mysore.

1894-95

GOVERNMENT OF MYSORE

LOCAL BOARDS BRANCH—MUNICIPAL AND LOCAL FUNDS

PROCEEDINGS

Dated 26th January 1895

No. 11494-504 / L. F. 121-94

Issuing instructions in regard to the preparation of Notifications of sanction.

M.G. C.P. B.—18-2-95—120